



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 29, 1994

Ms. Sheree L. Rabe
Assistant City Attorney
P.O. Box 409
Georgetown, Texas 78627-0409

OR94-520

Dear Ms. Rabe:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 26255.

The City of Georgetown has received a request for information held by the city's police department pertaining to a particular incident. You say that, in response to the request, the department has supplied the requestor with "the front page of the arrest report and the booking slip." You argue that the remaining portion of the report may be withheld under section 552.108 of the act, which excepts from required disclosure:

- a) A record of a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime
- (b) An internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution. . . .

You indicate that charges in connection with the incident in question are "currently pending and are going to be prosecuted." We have reviewed the material and agree that you may withhold it under section 552.108. *See* Open Records Decision No. 611 (1992).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,

A handwritten signature in black ink, appearing to read "William Walker", is written over a horizontal line.

William Walker
Assistant Attorney General
Open Government Section

WMW/MAR/rho

Ref.: ID# 26255

Enclosures: Submitted documents

cc: Mr. Dwayne Jackson
501 West 8th Street
Georgetown, Texas 78626
(w/o enclosures)